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TO:	FROM:
USPTO	Mark R. Buscher
COMPANY:	DATE:
	September 22, 2006
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571 273 8300	3+1
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:
Application No. 10/750,211	
Filing Date: January 2, 2004	
Inventors: Raymond J. H. Westheim et al	

The following are submitted herewith for filing in the above-identified application:

1. Transmittal Form (SB/21); and
2. Response to Restriction Requirement (2 pages).

SEP 22 2006

PTO/SB/21 (09-04)


Approved for use through 07/31/2006. OMB 0651-0031


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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/750,211
	Filing Date	Jan 2, 2004
	First Named Inventor	Raymond J.H. Westheim
	Art Unit	1626
	Examiner Name	Laura Lynne Stockton
Total Number of Pages in This Submission	Attorney Docket Number	SYN-0040

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Synthon IP Inc.		
Signature			
Printed name	Mark R. Buscher		
Date	September 22, 2006	Reg. No.	35,006

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Mark R. Buscher	Date	September 22, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
Atty Docket No.: SYN-0040

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Raymond J.H. Westheim

Confirm. No.:

Serial No.: 10/750,211

Art Unit: 1626

Filed: January 2, 2004

Examiner: Laura Lynne Stockton

For: ONDANSETRON FORMS AND PROCESSES OF MAKING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office letter dated August 23, 2006, the Examiner in charge of the above-identified application required restriction to one of the following groups of claims:

Group I - Claims 1-21, drawn to products;

Group II - Claims 22-29, drawn to a process of making; or

Group III - Claims 30-33, drawn to a process of making.

This requirement is respectfully traversed. Applicants believe that no undue burden would be placed on the Examiner by searching all of the claims in a single application. Indeed, the class and subclass for each of Groups I-III is identical, namely class 548, subclass 311.4. Accordingly, Applicants submit there is no need for the Examiner to insist upon restriction in the present application.


Serial No.: 10/750,211

In order to be fully responsive, however, Applicants hereby elect, with traverse as noted above, Group I, claims 1-21 for examination on the merits.

Should the Examiner have any questions regarding this application, she is encouraged to contact Mark R. Buscher (Reg. No. 35,006) at telephone No. 703 753 5256.

Respectfully submitted,

Date: September 22, 2006

By: 
Mark R. Buscher
Reg. No. 35,006

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